

JWV/DMM: August 2013
GJ# 17

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA)
)
)
) **CASE NO.**
)
JONATHAN IAN BROOKS)**

INDICTMENT

COUNT ONE: [18 U.S.C. § 2422(b)]

The Grand Jury charges:

Between on or about May 1, 2013 and including on or about July 2, 2013, in Jefferson County, within the Northern District of Alabama, and elsewhere, the defendant,

JONATHAN IAN BROOKS,

who was born in or about 1977, using a facility and means of interstate and foreign commerce, to wit: the internet and telephone, did attempt to knowingly persuade, induce, and entice an individual, known to the defendant as a male under the age of 14 and who had not obtained the age of 18 years, to engage in sexual activity for which the defendant can be charged with a criminal offense, to wit: Sodomy in the Second Degree (Ala. Code § 13A-6-64); Sexual Abuse in the Second Degree (Ala. Code § 13A-6-67), in violation of Title 18, United States Code, Section 2422(b).

COUNT TWO: [18 U.S.C. § 2252A(a)(2)]

The Grand Jury charges:

That between on or about November 1, 2012, and including on or about July 2, 2013, in Jefferson County, within the Northern District of Alabama, and elsewhere, the defendant,

JONATHAN IAN BROOKS,

did knowingly receive child pornography and material that contains child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that has been mailed, shipped, and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT THREE: [18 U.S.C. § 2252A(a)(5)(B)]

The Grand Jury charges:

That between on or about November 1, 2012, and including on or about July 2, 2013, in Jefferson County, within the Northern District of Alabama, and elsewhere, the defendant,

JONATHAN IAN BROOKS,

did knowingly possess and access with intent to view a computer, computer disk, and other material that contains an image of child pornography, as defined in Title

18, United States Code, Section 2256(8)(A), that has been mailed, shipped, and transported using a means and facility of interstate and foreign commerce, to wit: the internet, and that was produced using materials that has been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE NOTICE (18 U.S.C. § 2428)

As a result of the foregoing offenses alleged in Count One of this Indictment, and pursuant to Title 18, United States Code, Section 2428, the defendant,

JONATHAN IAN BROOKS,

shall forfeit to the United States:

(a) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, and to facilitate the commission of such violation of chapter 117 of this United States Code, including but not limited to the following:

- 1) One Hewlett-Packard (Pavillion DV4) computer with serial number CND9463FJQ on or about July 2, 2013; and,
- 2) One iPhone4 (Model A332) with serial number JF218452DZZ and assigned telephone number (205) 568-4451 on or about July 2, 2013.

If any of the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 2428, as a result of any act or omission of the defendant,

JONATHAN IAN BROOKS,

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 2428.

FORFEITURE NOTICE: [18 U.S.C. § 2253(a)]

As a result of the foregoing offenses alleged in COUNTS TWO and THREE of this Indictment, the defendant,

JONATHAN IAN BROOKS,

shall forfeit to the United States:

(a) any visual depiction described in Title 18, United States Code, Sections 2251, 2252, 2252A, or any book, magazine, periodical, film, videotape, computer disk, thumb drive, flash drive or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Chapter 110 of the United States Code; and

(b) any property, real or personal, used and intended to be used to commit and to promote the commission of such offenses, including but not limited to the following: one Hewlett-Packard (Pavillion DV4) computer with serial number CND9463FJQ; storage devices seized from the defendant's person, vehicle, or residence; and one iPhone4 (Model A332) with serial number JF218452DZZ and assigned telephone number (205) 568-4451 on or about July 2, 2013.

A TRUE BILL

/s/
FOREPERSON OF THE GRAND JURY

JOYCE WHITE VANCE
United States Attorney

/s/ *Daniel Murdock*
Daniel Murdock
Special Assistant
United States Attorney